

SIKKIM



GOVERNMENT

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**GOVERNMENT OF SIKKIM
(MOTOR VEHICLES DIVISION)
TRANSPORT DEPARTMENT
GANGTOK-737101**

No. GOS/MV/T/2016-17/150/35

Dated: 14/06/2016

NOTIFICATION

The draft of certain rules which the State Government proposes to make in exercise of the powers conferred by section 38 of the Motor Vehicles Act, 1988(50 of 1988), is hereby published as required by sub-section (1) Section 212 of the said Act for information of all persons likely to be affected thereby and notice is hereby given that the said draft rules would be taken into consideration after the expiry of a period of 45(forty five) days from the date on which the notification is published in the Official Gazette.

Any objection or suggestion which may be received from any person with respect to the said draft rules before the expiry of the period so specified will be considered by the State Government.

DRAFT RULES

**Short title, extent
and commencement**

1. (1) These rules may be called the Sikkim Motor Vehicles (Amendment) Rules, 2016.
- (2) They shall extend to the whole of Sikkim.
- (3) They shall come into force on the date of their publication in the Official Gazette.

**Amendment of
rule 6A**

2. In the Sikkim Motor Vehicles rules, 1991, (herein after referred to as the said rule) for rule 6A and the entries relating thereto, the following shall be substituted, namely:-

"6A Certain condition for renewal of driving license.
An application for renewal of driving license, beside other requirements should enclose.

(i) No Objection Certificate from the Police Station/Crime Branch stating that no case has been registered against the applicant

for driving under the influence of alcohol or drugs or the applicant was found plying a vehicle in contravention of any provisions of the Motor Vehicle Act and rules;

- (ii) a certificate of passing a refresher course from any of the recognised driving school or from the road safety cell of Traffic Police."

Amendment of rule 6B

- 3 In the said rules, in rule 6B, after the words "payment of Rs. 50", at the end the following words shall be inserted, namely:-
"and No Objection Certificate from the Police Station / Crime Branch stating that no case has been registered against the applicant for driving under the influence of alcohol or drugs or the applicant has been found plying vehicle in contravention of any provision of the Motor Vehicle Act and rules."

Amendment of rule 53

- 4 In the said rules, in sub-rule (1) of rule 53, the following clauses shall be inserted, namely:-
 - "(i) If it is satisfied that the vehicle no longer complies with all the requirements of the Act and rules on account of mechanical or physical defects;
 - (ii) if the driver/owner has been found to be plying his vehicle in contraventions of any provisions of the Motor Vehicle Act and rules."

Amendment of rule 78

- 5 In the said rules, in rule 78, after clause (h), the following clauses shall be inserted, namely:-
 - "(i) No permit shall be renewed if the driver/ owner has been found to be plying his vehicle in violations of or in non compliance of conditions of permit as specified under section 84 of the Act and clauses (a) to (h) above;
 - (j) No permit shall be renewed unless an NOC is produced from the Police Station/Crime Branch stating that no case has been registered against the driver/owner for driving under the influence of alcohol or drugs or the driver/owner has been found plying the vehicle in contravention of any provisions of the Motor Vehicle Act and rules;
 - (k) The Regional Transport Officer concerned may cancel or suspend the permit if the driver/owner is found violating any condition of permit above."

S.B.S. Bhadauria, IFS
Secretary to the Government of Sikkim
Transport Department